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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-08-0326 CW
)	
Plaintiff,	)	STIPULATED REQUEST TO VACATE
	)	HEARING DATE TO AUGUST 6, 2008
v.	)	AND TO EXCLUDE TIME UNDER THE
	)	SPEEDY TRIAL ACT
ANTONIO DERAY DARNELL,)	
a/k/a "Young Rayda,"	)	Date: June 18, 2008
a/k/a "Rayda,"	)	Time: 2:00 p.m.
a/k/a "Ray Ray,"	)	Court: Hon. Claudia Wilken
TERRELL ANTONIO MOORE,)	
a/k/a "T," and)	
ANTHONY DAVID OCHOA, JR.,)	
a/k/a "Ant,")	
)	
Defendants.)	

The above-captioned matter is set on June 18, 2008 for an initial appearance before this Court for trial setting. The parties request that the Court continue the hearing to August 6, 2008 at 2:00 p.m. and that the Court exclude time under the Speedy Trial Act between June 11, 2008 and August 6, 2008.

Defendant Antonio Deray Darnell was arraigned in the above-captioned matter on May 20, 2008. Defendants Terrell Antonio Moore and Anthony David Ochoa, Jr. are currently in

1 state custody; however, the government expects that Defendants Moore and Ochoa will appear
2 for arraignment in the above-captioned matter on or about June 16, 2008. A continuance of the
3 hearing set before this Court on June 18, 2008 will allow Defendants Moore and Ochoa to be
4 arraigned in this matter and to receive and review discovery. Additionally, the government has
5 already produced discovery to counsel for Defendant Darnell and intends to produce additional
6 discovery shortly. Defendant Darnell, therefore, requires additional time to review the discovery
7 produced and to be produced by the government, to investigate this matter, and to effectively
8 prepare for the hearing taking into account the exercise of due diligence. The extension is not
9 sought for delay. The parties agree the ends of justice served by granting the continuance
10 outweigh the best interests of the public and the defendant in a speedy trial. Undersigned defense
11 counsel represents that she has spoken with her client, Mr. Darnell, and that Mr. Darnell agrees
12 to this request. Therefore, the parties further stipulate and request that the Court exclude time
13 between June 11, 2008 and August 6, 2008 under the Speedy Trial Act for the reasons stated
14 above and pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

15
16 DATED: June 11, 2008

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18
19 /s/
JAMES C. MANN
Assistant United States Attorney
20 Counsel for United States

/s/
REBECCA SILBERT
Assistant Federal Public Defender
Counsel for Antonio Deray Darnell

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11	UNITED STATES OF AMERICA,	)	No. CR-08-0326 CW
12	Plaintiff,)	
13	v.	)	[PROPOSED] ORDER GRANTING
14	ANTONIO DERAY DARNELL,	)	STIPULATED REQUEST TO VACATE
15	a/k/a "Young Rayda,"	)	HEARING DATE TO AUGUST 6, 2008
16	a/k/a "Rayda,"	)	AND TO EXCLUDE TIME UNDER THE
17	a/k/a "Ray Ray,"	)	SPEEDY TRIAL ACT
18	TERRELL ANTONIO MOORE,)	
19	a/k/a "T," and	)	Date: June 18, 2008
20	ANTHONY DAVID OCHOA, JR.,	)	Time: 2:00 p.m.
21	a/k/a "Ant,"	)	Court: Hon. Claudia Wilken
22	Defendants.)	

The parties jointly requested that the hearing in this matter be moved from June 18, 2008 to August 6, 2008, and that time be excluded under the Speedy Trial Act between those dates to allow the government time to produce additional discovery and Defendant Darnell additional time to review the discovery, to investigate this matter, and to effectively prepare for the hearing taking into account the exercise of due diligence. Additionally, Defendants Terrell Antonio Moore and Anthony David Ochoa, Jr. are currently in state custody and have not yet been arraigned in the above-captioned matter. The government expects that Defendants Moore and

1 Ochoa will be arraigned on or about June 16, 2008. The requested continuance will, therefore,
2 allow Defendants Moore and Ochoa to be arraigned and to receive and review discovery. For
3 these stated reasons, the Court finds that the ends of justice served by granting the continuance
4 outweigh the best interests of the public and the defendant in a speedy trial. Good cause
5 appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv),

6 **IT IS HEREBY ORDERED** that the status hearing in this matter is moved from June
7 18, 2008 to August 6, 2008 at 2:00 p.m., and that time between June 11, 2008 and August 6,
8 2008 is excluded under the Speedy Trial Act to allow for the effective preparation of counsel,
9 taking into account the exercise of due diligence.

10
11 DATED: _____

HON. CLAUDIA WILKEN
United States District Judge